

Statement Under 37 CFR 3.73(b)

Applicant: Frederic FORTIN et al.

Application No.: 10/524,174

Filed: March 3, 2006

For: DISTRACTION AND DAMPING
SYSTEM WHICH CAN BE ADJUSTED
AS THE VERTICAL COLUMN GROWS

Paradigm Spine, a limited liability company,

submits that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of:

- A. ☒ Assignments from each of two inventors of the patent application identified above. The assignments for which were recorded in the Patent and Trademark Office at Reel 022281, Frame 0826, and at Reel 022281, Frame 0801, respectively, and for which copies thereof are attached.

AND

- B. ☒ A chain of title from a third inventor, of the patent application identified above, to the current assignee as shown below:

1. From: Alain Dimeglio To: Frederic Fortin
The document was recorded in the Patent and Trademark Office at Reel 017470, Frame 0401, and for which a copy thereof is attached.
2. From: Frederic Fortin To: Paradigm Spine, LLC
The document for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☒ Copies of assignments of other documents in the chain of title are attached.

The undersigned (whose title or PTO Registration Number is supplied below) is empowered to sign this certificate on behalf of the assignee.

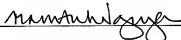
I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section

1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: March 17, 2009

Name: Tram Anh Nguyen, Esq.

Title or PTO Reg. No.: Director, Intellectual Property & Legal Affairs for Paradigm Spine, LLC

Signature: 

Telephone Number (212) 583-9700 ext. 2176

ASSIGNMENT

Whereas, I Alain DIMEGLIO having residence at 371 avenue du Doyen Gaston Giraud 34965 Montpellier, France has made a certain new and useful invention for which I am about to make or have made application for Letters Patent of the United States, which application may be identified in the United States Patent Office as Application Serial N° 10/524,174, filed 10 February 2005, and entitled: DISTRACTION AND DAMPING SYSTEM WHICH CAN BE ADJUSTED AS THE VERTEBRAL COLUMN GROWS

WHEREAS, Frederic FORTIN, an individual having a residence at 36 allée des Passerines 33600 Pessac, France, is desirous of acquiring the entire interest in and to said invention, said application and the Letters Patent to be obtained therefore.

NOW, THEREFORE, for and in consideration of One Dollar and other good and valuable consideration to us in hand paid, the receipt and sufficiency whereof are hereby acknowledged, I have sold, assigned, and set over unto the said Assignee, and said assignee's legal representative, successors and assigns, the entire right, title and interest in and to any and all applications including the aforesaid application, for Letters Patent heretofore and hereafter filed in the United States or any other country and which may be based in whole or in part on said inventions and discoveries, and in and to any and all Letters Patent heretofore or hereafter granted by the United States or any other country and which may be based in whole or in part on said inventions and discoveries, said assignment including the right to file and prosecute any and all such applications and also including the right to sue and recover for any and all such applications and also including the right to sue and recover for any and all infringements of said patents; and request the Commissioner of Patents to issue said Letters Patent to the above- mentioned assignee agreeably with the terms of this assignment.

I hereby authorize the above-mentioned Assignee, its successors and assigns, or anyone it may properly designate, to insert in this instrument the date of execution and/or filing date and application number of said application when ascertained.

UPON SAID CONSIDERATION, I do hereby covenant for myself and my heirs, legal representatives and assigns that neither I nor any of my said heirs, legal representatives or assigns have or will execute any instrument or perform any act in conflict herewith and that I or my said heirs, legal representatives and assigns will at all times do such acts and execute such papers, without expense to myself, as may be necessary or desirable in order to fully protect said inventions and discoveries for the benefit of said assignee, its successors or assigns, and to otherwise carry into full force and effect the text and interest of this assignment.

IN WITNESS WHEREOF, I have hereunto set my hands and affixed my seals.

Alain DIMEGLIO


Signature

22/12/05
Date

ASSIGNMENT

WHEREAS We, the below named inventors, [hereinafter referred to as Assignors], have made an invention entitled:

DISTRACTION AND DAMPING SYSTEM WHICH CAN BE ADJUSTED AS THE VERTEBRAL COLUMN GROWS

for which We filed an application for a French Patent, **French Application No. 02.10248**, on August 13, 2002 and


WHEREAS, **Paradigm Spine, LLC**, a Delaware Limited Liability Company whose post office address is 505 Park Avenue, 14th Floor, New York, NY 10022 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;


NOW THEREFORE, be it know that, for good and valuable consideration the receipt of which from Assignee is hereby acknowledged, We, as Assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, our entire right, title, and interest in and to this invention, and this application, and all divisions, and continuations thereof, and all Patents which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of this application, and all applications for patent which may hereafter be filed for this invention in any country, including, but not limited, to United States Patent Application No. 10/524,174; European Patent Application No. 03778377; and PCT Application No. PCT/FR2003/002435, all having an international filing date of July 31, 2003 and claiming the benefit of priority of the above-listed French Application, and all Letters Patent which may be granted on this invention in any country, and all extensions, renewals, and reissues thereof; and We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment.


AND, WE HEREBY covenant that We have the full right to convey the interest assigned by this Assignment, and We have not executed and will not execute any agreement in conflict with this Assignment;

AND, WE HEREBY further covenant and agree that We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, We have hereunto set our hands.

1. FULL NAME OF SOLE OR FIRST ASSIGNOR Frédéric Fortin	ASSIGNOR'S SIGNATURE 	DATE June 20 th 2008
ADDRESS 36, allée des Passerines, 33600 Pessac, France		CITIZENSHIP France

1. WITNESS NAME ROBIN JOHAN	WITNESS SIGNATURE 	DATE 20/06/2008
ADDRESS 1 allée du Puits de l'Heran - 33730 Bègles		CITIZENSHIP France

2. WITNESS NAME SENNEQUIER Bruce	WITNESS SIGNATURE 	DATE 20/06/2008
ADDRESS 7 RUE VOLTAIRE - 33600 PESSAC		CITIZENSHIP France

2. FULL NAME OF SECOND ASSIGNOR Reinhard Zeller	ASSIGNOR'S SIGNATURE	DATE
ADDRESS 127 Rue Jean Baptiste, Clement, 92100 Boulogne, France		CITIZENSHIP France

1. WITNESS NAME	WITNESS SIGNATURE	DATE
ADDRESS		CITIZENSHIP

2. WITNESS NAME	WITNESS SIGNATURE	DATE
ADDRESS		CITIZENSHIP

2. FULL NAME OF THIRD ASSIGNOR Alain Dimeglio	ASSIGNOR'S SIGNATURE	DATE
ADDRESS 371 avenue du Doyen Gaston Giraud, 34965 Montpellier, France		CITIZENSHIP France

1. WITNESS NAME	WITNESS SIGNATURE	DATE
ADDRESS		CITIZENSHIP

2. WITNESS NAME	WITNESS SIGNATURE	DATE
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WHEREAS, **Paradigm Spine, LLC**, a Delaware Limited Liability Company whose post office address is 505 Park Avenue, 14th Floor, New York, NY 10022 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it know that, for good and valuable consideration the receipt of which from Assignee is hereby acknowledged, We, as Assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, our entire right, title, and interest in and to this invention, and this application, and all divisions, and continuations thereof, and all Patents which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of this application, and all applications for patent which may hereafter be filed for this invention in any country, including, but not limited, to United States Patent Application No. 10/524,174; European Patent Application No. 03778377; and PCT Application No. PCT/FR2003/002435, all having an international filing date of July 31, 2003 and claiming the benefit of priority of the above-listed French Application, and all Letters Patent which may be granted on this invention in any country, and all extensions, renewals, and reissues thereof; and We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment.

AND, WE HEREBY covenant that We have the full right to convey the interest assigned by this Assignment, and We have not executed and will not execute any agreement in conflict with this Assignment;

AND, WE HEREBY further covenant and agree that We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, We have hereunto set our hands.

1. FULL NAME OF SOLE OR FIRST ASSIGNOR Frédéric Fortin	ASSIGNOR'S SIGNATURE	DATE
ADDRESS 36, allée des Passerines, 33600 Pessac, France		CITIZENSHIP France

1. WITNESS NAME	WITNESS SIGNATURE	DATE
ADDRESS		CITIZENSHIP

2. WITNESS NAME	WITNESS SIGNATURE	DATE
ADDRESS		CITIZENSHIP

2. FULL NAME OF SECOND ASSIGNOR Reinhard Zeller	ASSIGNOR'S SIGNATURE <i>Reinhard Zeller</i>	DATE 09/05/2008
ADDRESS 127 Rue Jean Baptiste, Clement, 92100 Boulogne, France		CITIZENSHIP France

1. WITNESS NAME Tram Nguyen	WITNESS SIGNATURE <i>Tram Nguyen</i>	DATE May 9, 2008
ADDRESS 505 Park Avenue, 14th Floor, New York, NY 10022		CITIZENSHIP USA

2. WITNESS NAME Robert Chirik	WITNESS SIGNATURE <i>Robert Chirik</i>	DATE May 9, 2008
ADDRESS 505 Park Avenue, 14th Floor, New York, NY 10022 505 Park Ave, 14th Floor, New York, NY 10022		CITIZENSHIP USA

2. FULL NAME OF THIRD ASSIGNOR Alain Dimeglio	ASSIGNOR'S SIGNATURE	DATE
ADDRESS 371 avenue du Doyen Gaston Giraud, 34965 Montpellier, France		CITIZENSHIP France

1. WITNESS NAME	WITNESS SIGNATURE	DATE
ADDRESS		CITIZENSHIP

2. WITNESS NAME	WITNESS SIGNATURE	DATE
ADDRESS		CITIZENSHIP